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FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO *Sept. 15* 20 *16*
BY *[Signature]* ANALYST

10 BEFORE THE
11 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
12 STATE OF CALIFORNIA

13 In the Matter of the First Amended Accusation
14 Against:

15 **ADAM F. DORIN, M.D.**
16 **3972 Barranca Parkway, J-115**
Irvine, CA 92606

17 **Physician's and Surgeon's Certificate**
18 **No. G86440,**

19 Respondent.

Case No. 800-2013-000930

OAH No. 2015120747

FIRST AMENDED ACCUSATION

20
21 Complainant alleges:

22 **PARTIES**

23 1. Kimberly Kirchmeyer (Complainant) brings this First Amended Accusation solely in
24 her official capacity as the Executive Director of the Medical Board of California, Department of
25 Consumer Affairs.

26 2. On or about March 20, 2002 the Medical Board issued Physician's and Surgeon's
27 Certificate No. G86440 to Adam F. Dorin, M.D. (Respondent). The Physician's and Surgeon's
28 Certificate was in full force and effect at all times relevant to the charges brought herein and will

1 expire on June 30, 2017, unless renewed.

2 **JURISDICTION**

3 3. This First Amended Accusation, which supersedes Accusation No. 800-2013-000930,
4 filed on September 10, 2015, in the above-entitled matter, is brought under the following laws.
5 All section references are to the Business and Professions Code (Code) unless otherwise
6 indicated.

7 4. Section 2227 of the Code states:

8 “(a) A licensee whose matter has been heard by an administrative law judge
9 of the Medical Quality Hearing Panel as designated in Section 11371 of the
10 Government Code, or whose default has been entered, and who is found guilty, or
11 who has entered into a stipulation for disciplinary action with the board, may, in
12 accordance with the provisions of this chapter:

13 “(1) Have his or her license revoked upon order of the board.

14 “(2) Have his or her right to practice suspended for a period not to exceed one
15 year upon order of the board.

16 “(3) Be placed on probation and be required to pay the costs of probation
17 monitoring upon order of the board.

18 “(4) Be publicly reprimanded by the board. The public reprimand may
19 include a requirement that the licensee complete relevant educational courses
20 approved by the board.

21 “(5) Have any other action taken in relation to discipline as part of an order of
22 probation, as the board or an administrative law judge may deem proper.

23 “(b) Any matter heard pursuant to subdivision (a), except for warning letters,
24 medical review or advisory conferences, professional competency examinations,
25 continuing education activities, and cost reimbursement associated therewith that
26 are agreed to with the board and successfully completed by the licensee, or other
27 matters made confidential or privileged by existing law, is deemed public, and
28 shall be made available to the public by the board pursuant to Section 803.1.”

1 5. Section 2234 of the Code, states:

2 “The board shall take action against any licensee who is charged with
3 unprofessional conduct. In addition to other provisions of this article,
4 unprofessional conduct includes, but is not limited to, the following:

5 “...

6 “(e) The commission of any act involving dishonesty or corruption
7 that is substantially related to the qualifications, functions, or duties of a physician
8 and surgeon.

9 “...”

10 6. Unprofessional conduct under Code section 2234 is conduct which breaches the rules
11 or ethical code of the medical profession, or conduct which is unbecoming a member in good
12 standing of the medical profession, and which demonstrates an unfitness to practice medicine.

13 (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Dishonest and Corrupt Acts)**

16 7. Respondent has subjected his Physician’s and Surgeon’s Certificate No. G86440 to
17 disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (e), of
18 the Code, in that he committed dishonest and corrupt acts as more particularly alleged hereinafter:

19 8. On or about July 9, 2012, respondent sent a false and fraudulent email from his
20 employer Sharp Grossmont Hospital’s email service to the employer of R.B. under the fictitious
21 name “Jack Lew,” that falsely alleged R.B. had a police record and a history of altercations with
22 the law. Respondent sent the email in order for his then girlfriend and R.B.’s soon to be ex-wife
23 to gain an advantage in her divorce proceedings with R.B.

24 9. On or about July 17, 2012, respondent sent a false and fraudulent email from an email
25 service through the Delrey Apartment Homes in Irvine California to the employer of R.B. and the
26 State Bar of California under the fictitious name "Kathryn 'Kate' Saftine," that falsely alleged that
27 R.B. engaged in unethical legal and business practices and withheld money from a client.
28 Respondent sent the email in order for his then girlfriend and R.B.’s soon to be ex-wife to gain an

1 advantage in her divorce proceedings with R.B.

2 **SECOND CAUSE FOR DISCIPLINE**

3 **(General Unprofessional Conduct)**

4 10. Respondent has further subjected his Physician's and Surgeon's Certificate No.
5 G86440 to disciplinary action under section sections 2227 and 2234, as defined by section 2234,
6 of the Code, in that he has engaged in conduct which breaches the rules or ethical code of the
7 medical profession, or conduct which is unbecoming to a member in good standing of the medical
8 profession, and which demonstrates an unfitness to practice medicine, as more particularly
9 alleged hereinafter:

10 11. Paragraphs 8 through 9 above, are hereby incorporated by reference and re-alleged as
11 if fully set forth herein.

12 **PRAYER**

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Medical Board issue a decision:

15 1. Revoking or suspending Physician's and Surgeon's Certificate No. G86440, issued to
16 respondent Adam F. Dorin, M.D.;

17 2. Revoking, suspending or denying approval of respondent Adam F. Dorin, M.D.'s
18 authority to supervise physician assistants, pursuant to section 3527 of the Code;

19 3. Ordering respondent Adam F. Dorin, M.D., if placed on probation, to pay the Board
20 the costs of probation monitoring; and

21 4. Taking such other and further action as deemed necessary and proper.

22
23 DATED: September 15, 2016


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant